

रजिस्टर्ड नं० पी०/एस०एम० 14.



# राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बोरवार, 20 अक्तूबर, 1983/28 आश्विन, 1905

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 19 अक्तूबर, 1983

क्रमांक एल०एल० आर०डी० (6) 33/83.—हिमाचल प्रदेश टाऊन एण्ड कण्ट्री प्लानिंग (अमैडमेंट) अध्यादेश, 1983 (1983 का अध्यादेश संख्यांक 5) जैसा राज्यपाल महोदय, हिमाचल प्रदेश द्वारा "भारत के संविधान" के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 15 अक्तूबर, 1983 को प्रख्यापित किया गया, को एतद्द्वारा सर्वसाधारण की जानकारी के लिए राजपत्र, हिमाचल प्रदेश में प्रकाशित किया जाता है।

वेद प्रकाश भटनागर,  
सचिव।

Ordinance No. 5 of 1983.

**THE HIMACHAL PRADESH TOWN AND COUNTRY PLANNING  
(AMENDMENT) ORDINANCE, 1983**

*Promulgated by the Governor of Himachal Pradesh in the Thirty-fourth Year of the Republic of India.*

An Ordinance further to amend the Himachal Pradesh Town and Country Planning Act, 1977 (Act No. 12 of 1977).

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor of Himachal Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to make and promulgate the following Ordinance:—

Short title  
and com-  
mencement.

1. (1) This Ordinance may be called the Himachal Pradesh Town and Country Planning (Amendment) Ordinance, 1983.

(2) It shall come into force at once.

Amendment  
of section  
42.

2. For the opening word "Every" occurring in section 42 of the Himachal Pradesh Town and Country Planning Act, 1977 (hereinafter called the principal Act) the words, figure, alphabet and sign "Save as provided in section 42-A, every" shall be substituted.

12 of 1977

Insertion  
of section  
42-A.

3. After section 42 of the principal Act the following new section 42-A, along with its heading, shall be inserted, namely:—

**"42-A. Constitution of Town and Country Development Authority for the capital town of Himachal Pradesh.—**(1) Notwithstanding anything to the contrary contained in section 42, the Town and Country Development Authority for the capital town of Himachal Pradesh shall consist of the Chairman, Vice-Chairman and eight other members to be appointed by the State Government.

(2) The Chief Minister and the Minister-in-charge of town and country planning, shall be the *ex-officio* Chairman and Vice-Chairman of the Town and Country Development Authority constituted under sub-section (1) and for the discharge of their duties as such they shall not be entitled to any emoluments and in relation to them the provisions contained in section 43, sub-section (3) of section 44, section 45 and section 46 will not operate:

Provided that during the period of any proclamation issued under Article 356 of the constitution of India, the Governor, may, by notification, appoint any persons to act as the Chairman and the Vice-Chairman of the Development Authority consti-

tuted under this section and the persons so appointed shall exercise the powers vested in them and perform the functions assigned to them under the Act during the period the said proclamation issued under Article 356 continues to be in force and the provisions contained in sections 43, 44 (3), 45 and 46 shall apply to them.

- (3) In the absence of the Chairman, the Vice-Chairman shall preside over the meetings of the Town and Country Development Authority constituted under this section and shall, in relation thereto, exercise such powers and performs such functions as the Chairman may assign to him.

4. For the word "Secretary" occurring in sub-section (1) of section 48 of the principal Act, the word "Member-Secretary" shall be substituted.

Amendment  
of section  
48.

5. After the word "Government" occurring for the second time in section 65 of the principal Act, the words "or other financial institutions" shall be inserted.

Amendment  
of section  
65.

HOKISHE SEMA,  
*Governor.*

SHIMLA :

*The 15th October, 1983.*

V. P. BHATNAGAR,  
*Secretary (Law).*

